(24)

HIGH COURT OF CHHATTISGARH: BILASPUR

M.C.C. No.178 of 2007

Petitioners

1A) Smt. Sarswati Kaushik, aged 36 years, Wd/of Late Suresh Kaushik.

1B) Kumari Priyanka, aged about 17 years, D/o. Late Suresh Kaushik, through her mother Smt. Sarswati Kaushik.

1C) Pratik Kaishik, aged about 14 years, S/o. Late Suresh Kaushik, thropugh his mother Smt. Sarswati Kaushik.

All R/o. Rajendra Nagar, Bilaspur, Tahsil and District Bilaspur, CG.

2) Rameshwar Prasad Tiwari, S/o. Shri I.P. Tiwari, aged about 42 years, Clerk, District Cooperative Union Ltd., Nehru Chowk, Bilaspur, CG.

3) Devendra Kumar Tiwari, S/o. Bodh Ram Tiwari, Aged about 31 years, Peon, District Co-operative Union Ltd, Nehru Chowk, Bilaspur, CG.

4) Shivmani Gautam, S/o. Late B.L. Gautam, aged about 27 years, Compositor, District Co-operative Union Ltd., (Press) Nehru Chowk, Bilaspur, CG.

Versus

Respondents

1) State of Chhattisgarh, through its Secretary, Department of Co-operative, Mantralaya, D.K.S. Bhawan, Raipur, CG.

2) Registrar, Co-operative Societies Chhattisgarh, Raipur, CG.

3) Joint Registrar, Co-operative Societies, Bilaspur, CG.

4) District Co-operative Union Ltd., Nehru Chowk, Bilaspur, through its Authorized Officer.

[redacted]

(Application for modification in the final oral order dated 23-04-2007)

SB: Hon'ble Mr. Justice Satish K. Agnihotri

Present:

Shri M.K. Bhaduri Advocate appears on behalf of Shri R.K. Kesharwani, counsel for the petitioners.
Shri Satish Gupta, Dy. Govt. Advocate for the State.

ORAL ORDER
(Passed on 12th June, 2007)

By this application, learned counsel appearing for the petitioners seeks deletion of para 1 to the extent that "The petitioners/Association have sought for a direction to grant employees of the petitioners Association, the benefit of 5th Pay Commission" from the order dated 23rd April, 2007 passed in Writ Petition No.1414 of 2005 (Suresh Kumar Kaushik and others Vs. State of Chhattisgarh and others) as this was not the case of the petitioners. It appears that due to inadvertent mistake the said paragraph has crept in the order dated 23-4-2007 passed in W.P.No.1414/2005.

2) On perusal of the papers, it appears that the above stated paragraph has wrongly been typed inadvertently in first para of the order dated 23-4-2007 in W.P.No.1414/2005.

3) Accordingly, the application is ordered as prayed for. Para 1 to the extent that "The petitioners/Association have sought for a direction to grant employees of the petitioners Association, the benefit of 5th Pay Commission" is deleted from the order dated 23rd April, 2007 passed in Writ Petition No.1414 of 2005 (Suresh Kumar Kaushik and others Vs. State of Chhattisgarh and others) and the amended order be issued accordingly.

4) A copy of this order be kept in W.P.No.1414/2005.

5) In view of the above, M.C.C.No.178/2007 stands disposed of.

Sd/-
Satish K. Agnihotri
Judge

Raju